

A photograph of a water treatment facility. In the foreground, there are concrete channels filled with water. A row of pipes runs across the middle ground. In the background, there are more concrete structures and a fence. The background is a wooded area with trees. The text is overlaid on the image.

*Water Year 2024 Tumalo Creek Water  
Live Flow Water Right*

***Flows on Tumalo Creek currently allow  
for the District to operate and deliver  
100% of a patron's water right. We  
anticipate that good flows will be  
available until the first week of July.***



# *Crescent Lake Water Availability 2024*

## *Stored Water Right*

Last years total available water for rotation 17,800 Acre Ft.

Current Water Level 17,000 Acre Ft.

Anticipated Run-off into Crescent Lake 12 to 15 Thousand Acre Ft.

Anticipated available water is 29 to 31 Thousand Acre Ft.

For every Cubic Foot Per Second(CFS) released from Crescent lake TID can pick up and use 75% at our Bend Diversion.

Example 100 CFS release @ Crescent Lake = 75 CFS available @ Bend Diversion

**Total water needed in Bend for a 70% delivery year is 18,000 Acre Ft.**

**Total Water that must be released from Crescent lake would be 22,000 to 25,000 Acre Ft.**





# Piping Progress to Date

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Since 2017 a Total of 49.5 miles of the 80 miles of District Canal Infrastructure has been piped.

A total of 376 Patrons have access to piped and gravity pressurized water from 5 PSI to 90 PSI. This equals 4243 thousand acres of the 7400 acres served by the District.





# Lawsuit Progress

Our insurance company recently advised us that it has reached the limit of its contributions to our legal expenses for defending against the federal court lawsuit filed by some patrons / owners in 2020.

TID's patrons, through District assessments, will need to start paying the legal bills. You may recall that the District anticipated this possibility and created a legal defense fund three years ago.

We have \$180,000 in that fund and we will start using it to pay the portion of the legal expenses not covered by the insurance funds.

The balance of the 9<sup>th</sup> Circuit Court of Appeals litigation is expected to cost another approximately \$50,000 to \$75,000, and there likely will be further appeals after that.

During the budgeting process for 2025, additional assessments will be considered to meet expected future defense costs.

# **Water Theft**

**ORS 540.710:** “No person shall willfully open, close, change or interfere with any lawfully established headgate or water box without authority, or willfully use water or conduct water into or through the ditch of the person which has been lawfully denied the person by the watermaster or other competent authority. The possession or use of water when the same shall have been lawfully denied by the watermaster or other competent authority shall be prima facie evidence of the guilt of the person using it.”

District will respond to theft / tampering complaints as well as instances of theft / tampering observed by District staff. Upon confirmation of theft / tampering, District staff shall document the issue in writing, which should include at a minimum, the date and time of the offence, photographic evidence (if applicable), and a written description of the offence. Staff is then authorized to initiate enforcement action against the offender as follows:

## 1<sup>st</sup> Offense:

1. Immediate correction to delivery by district staff\* and verbal notice if offender is present
2. Notice of violation posted on residence and mailed by standard mail

## 2<sup>nd</sup> Offense:

1. Immediate correction to delivery by District staff\*
2. Citation issued by District Manager or his designated agent
3. \$1,500 fine levied against offender
4. Lock-off water if possible until fine is paid in full
5. Contact local Law Enforcement as appropriate

## Subsequent Offense(s):

1. Immediate correction to delivery by District staff\*
2. Citation issued by District Manager or his designated agent
3. \$2,500 fine levied against offender
4. Lock-off water if possible until fine is paid in full
5. Contact local Law Enforcement as appropriate

Offender has the option to appeal the citation and request a hearing before the District Board of Directors.

Offenses are cumulative, not based on a calendar year.